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In re Application of	:	
SEO, Yoon-Deuk	:	
Application No.: 09/914,829	:	
PCT Application No.: PCT/KR00/01082	:	
International Filing Date: 28 September 2000	:	DECISION ON
Priority Date: 13 December 1999	:	PETITION
Attorney Docket No.: GIPPL2.001APC	:	UNDER 37 CFR 1.137(b)
For: VOICE RECORDING APPARATUS,	:	
VOICE CARD, AND METHOD FOR	:	
RECORDING VOICE BY USING THEM	:	

Applicant's "Petition for Revival of This Application" filed in the United States Patent and Trademark Office on 31 August 2001 is **GRANTED**.

### **BACKGROUND**

On 28 September 2000, applicant filed an international application, No. PCT/KR00/01082, which claimed a priority date of 13 December 1999. A copy of the application was transmitted by the International Bureau (IB) on 09 August 2001.

The deadline for entering the national stage was thus twenty months from the priority date, 13 August 2001. The application went abandoned when applicant failed to make the necessary filing.

On 31 August 2001, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, a petition to revive the international application; the requisite petition fee; and the requisite basic national fee as required by 35 U.S.C. §371(c)(1).

### **DISCUSSION**

A petition to revive an abandoned application under 37 CFR 1.137(b) must be filed without intentional delay from the time the application became abandoned and/or applicant first became aware of the abandoned status of the application. A petition under 37 CFR 1.137(b) must be accompanied by (1) a statement that the entire delay in filing the required reply from the

due date for the reply until the filing of a grantable petition was unintentional, (2) a proposed response, (3) the petition fee required by law (37 CFR 1.17(m)), and (4) a terminal disclaimer and fee (if the international application was filed prior to June 8, 1995).

Applicant states "the delay in complying with the requirements referred to above was unintentional." This is construed to mean that the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional as required by 37 CFR 1.137(b)(3). If this is not a correct interpretation, petitioner must notify PTO. The appropriate national fee, petition fee and international application have been submitted. A terminal disclaimer is not required as the application was filed on 28 September 2000. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

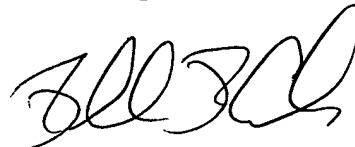
### CONCLUSION

The petition to revive the application abandoned under 37 U.S.C. 1.137(b) is **GRANTED** as to the National Stage in the United States of America.

This application is being forwarded to the National Stage Processing Division of the Office of the PCT Operations for continued processing including issuance of the Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that the oath or declaration and the surcharge for filing the oath or declaration after twenty months are required.



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